

**WEBB COUNTY COMMISSIONERS COURT**  
**Official Minutes for the**  
**REGULAR MEETING**  
**OCTOBER 15, 2002**  
**9:00 A.M.**

**01.02-10-275.      CALL TO ORDER BY JUDGE MERCURIO MARTINEZ, JR.**

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:40 A.M. at the regular meeting place with the following members present to wit:

Mercurio Martinez Jr.	County Judge
Jerry Vasquez	Commissioner Pct. 1
Judith Gutierrez	Commissioner Pct. 2
Felix Velasquez	Commissioner Pct. 3
Mike Urdiales	Commissioner Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 15<sup>th</sup> day of October 2002.

Present also were Ms. Alejandra G. Villarreal, Deputy County Clerk representing Mr. Henry Flores, Ex- Officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

**INVOCATION** - Commissioner Judith Gutierrez

**PLEDGE OF ALLEGIANCE** – Mr. Eloy Ramirez

**02.02-10-276.      APPROVAL OF MINUTES**

A motion was made by Cmr. Gutierrez to approve the minutes once corrections to some items are made to reflect the actual motion. Cmr. Vasquez seconded the motion. All voted “Aye” in favor.

**03.02-10-277.      COMMUNICATIONS**

At this time the Court asked Mr. Leo Flores, County Auditor, to respond to a memo submitted by him to the Auditors Board of District Judges. (Please see attached memo)

Mr. Flores, advised the Court that the memo was a summary of the cost and corresponding revenues. The Board of Judges questioned if the County was making or losing money to which Mr. Flores’s response was that at this time the County was just breaking even.

Judge Martinez requested that Mr. Flores, submit a report on Brooks County on a monthly basis.

George Gonzalez, from the Sheriffs Dept., also addressed the Court. He presented an update on the number of inmates currently housed locally and at Brooks County.

The Court voiced several observations, comments, and concerns regarding the memo to the Auditors Board of District Judges. (Full discussion is on audiotape.)

Judge Martinez provided information on a letter received from the United States Department of Justice, Civil Rights Division acknowledging and approving additional early voting locations and hours. The Attorney General did not interpose any objection to the changes submitted by the county through the Law offices of Rolando Rios.

Judge Martinez and the Commissioners Court congratulated Mr. Flores, County Auditor and his staff on receiving a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada.

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting.

Comr. Felix Velasquez extended an invitation to the public and County employees to participate in the "World Hunger Day" event sponsored by the Regional Food Bank, which was to be held at TAMIU at 12 noon on October 16, 2002. Comr. Velasquez also recognized Mr. Juan Vargas, Economic Development Director, who serves on the Regional Food Bank Board and Mr. Beto Loera, president of the Board.

**04.02-10-278.**

**APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS**

Mr. Jorge Flores, County Treasurer, addressed the Court to present the Sales Tax Report as well as 13 side bills for Commissioners Court Approval.

Comr. Gutierrez acknowledged that the County's obligation is to pay said bills and motioned to approve payment and also to accept the Treasurer's report as submitted. Comr. Velasquez seconded the motion. All voted in favor. Motion carried 4 to 0. Comr. Vasquez not being present at the time.

At this time, County Auditor Leo Flores presented the Auditor's report.

In open Court Judge Martinez congratulated County Auditor Leo Flores and his staff on identifying fund 629 pg. 8 of Auditors report as an asset under the new rules of GASB.

Ms. Patricia Barrera, Tax Assessor/Collector, presented the Tax Assessor Collector's report.

Ms. Barrera and her staff were also congratulated on Receiving the "Shining Star Award".

Cmr. Velasquez also recognized Sheriff Juan Garza and his staff on their efforts to curtail expenditures and coming in under budget.

After a lengthy discussion a motion to accept the reports as submitted was made by Cmr. Gutierrez and seconded by Cmr. Vasquez with all voting "Aye" in favor to approve.

**05.02-10-279.**

**APPROVAL OF RESOLUTION/PROCLAMATIONS**

**1. Resolution "Farm to Market Road 3169 Extension"**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion to approve the resolution. All voted "Aye" in favor.

**2. Proclamation "Down Syndrome Month"**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion to approve the resolution. All voted "Aye" in favor.

**3. Proclamation "Disability Employment Awareness Month"**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion to approve the resolution. All voted "Aye" in favor.

4. **Proclamation “Mental Illness Awareness Week”**  
Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion to approve the resolution. All voted “Aye” in favor.

At this time County Attorney, Homero Ramirez, addressed the Court to recommend that the following items:

06.02-10-280. (i) 1, 2, 3, 4, and 5 be moved up.

Mr. Ramirez also recommended that items 1 and 2 be taken first and after voting on them take items 3, 4, and 5 separately.

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion to move up the items. All voted “Aye” in favor. (Please see item 06.02-10-280. 1, 2, 3, 4, and 5 on pgs. 11, 12, &13)

11:05 a.m.

At this time, Cmr. Gutierrez makes a motion to enter into **Executive Session** to address items 06.02-10-280 (i) 3, 4, & 5 and is seconded by Cmr. Velasquez with all voting “Aye” in favor.

Upon recommendation of Mr. Homero Ramirez, County Attorney, the Court acknowledged that the basis of the motion is to engage in attorney/client consultation via a teleconference call with Mr. J. Allison which is now permitted by the Open Meetings Act.

11:45 a.m.

The Court returned to regular session and Judge Martinez stated that no action had been taken in Executive Session. The session served to inform the Court as to legal council’s advice pertaining to the items being address in **Executive Session.**

Motion is made by Cmr. Gutierrez to move up item 06.02-10-280 (i) 6 and seconded by Cmr. Velasquez. All voted “Aye” in favor. (Please see page 13).

**06.02-10-280. COURT TO DISCUSS AND ACT ON THE FOLLOWING:**

**a. TAX ASSESSOR COLLECTOR**

**ACTION TO APPROVE REFUND:**

**Transamerica Real Estate Tax Service**

**Reason: Paid in Error**

**Total Refund: \$873.86**

Cmdr. Vasquez motioned to approve item as submitted  
and Cmdr. Gutierrez seconded the motion.  
All voted in favor.

**b. ENGINEERING DEPARTMENT**

**1. ACTION TO AUTHORIZE THE ROAD & BRIDGE  
DEPARTMENT FUND 010 TO FILL THE  
FOLLOWING SLOTS AT THE SALARY  
APPROVED BY THE 2002-03 BUDGET:**

**FUND 010, DEPARTMENT 7002:**

**A. SLOT 659- DUMP TRUCK DRIVER -----AT \$9.95 PER  
HOUR**

**B. SLOT 667- WATER TRUCK DRIVER--AT \$9.95 PER  
HOUR**

**C. SLOT 1379- CONSTRUCTION MAINTENANCE  
SUPERVISOR AT \$1,228.11 PER PAY PERIOD**

Cmdr. Vasquez motioned to approve the item as submitted  
and Cmdr. Gutierrez seconded the motion.  
All voted in favor.

2. **ACTION TO AUTHORIZE THE PAVING OF A SECTION OF WORMSER ROAD 30 FEET BY 433 FEET WITH ROAD & BRIDGE LABOR AND EQUIPMENT. THE DEVELOPER HAS OFFERED TO PROVIDE THE ENGINEERING AND MATERIALS REQUIRED TO PAVE THIS SECTION OF THE ROAD. THE DEVELOPER WILL ALSO REALIGN WORMSER ROAD AT ITS INTERSECTION WITH EJIDO ELIMINATING AN EXISTING DANGEROUS INTERSECTION.**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor.

c. **M.I.S. DEPARTMENT**

3. **ACTION TO TRANSFER \$8,000 FROM COUNTY CLERK RECORDS MANAGEMENT PRESERVATION FUND #009 TO RECORDS MANAGEMENT AND PRESERVATION FUND #008.**

Cmr. Gutierrez motioned to approve item as submitted and Cmr. Vasquez seconded the motion.  
All voted in favor.

4. **ACTION TO INCREASE THE SALARIES OF EMPLOYEE SLOTS #640 AND #1406 BOTH KNOWN AS RECORDS MANAGEMENT SPECIALISTS FROM \$25,875 TO \$28,875. This item was approved by Commissioners Court at budget approval meeting of September 9, 2002.**

Cmr. Gutierrez motioned to approve item as submitted and Cmr. Vasquez seconded the motion.  
All voted in favor.

d.

## **PLANNING DEPARTMENT**

**1. ACTION TO ISSUE “CERTIFICATIONS REGARDING COMPLIANCE WITH PLAT REQUIREMENTS AND THE CONNECTION OF UTILITIES” TO AUTHORIZE UTILITY CONNECTIONS TO THE FOLLOWING PROPERTIES:**

**Connection(s) qualifying under Section 232.029 (i).**

**Lot 9, Las Pilas Subdivision, II (electricity - one dwelling only)**

**Lots 24 & 25, Las Pilas Subdivision II (electricity - one dwelling only)**

**Lot 11, Tanquecitos South Acres Subdivision (electricity - one dwelling only)**

**Connection(s) qualifying under Section 232.028 (a) & (b)**

**A 10.0 acre tract of land, being out of Tract C-24, Los Botines Subdivision (electricity - one dwelling only)**

Cmr. Gutierrez motioned to approve item as submitted and Cmr. Vasquez seconded the motion.  
All voted in favor.

**2. ACTION TO CONSIDER THE PRELIMINARY AND FINAL PLAT APPROVAL OF THE REPLAT OF LOT 4, BLOCK 1, ASHLEY ACRES**



**SUBDIVISION INTO LOTS 4A AND 4B, BLOCK 1, ASHLEY ACRES SUBDIVISION CONTINGENT UPON CERTIFICATION BY THE DEVELOPER, ON THE FACE OF THE PLAT, RESTRICTING THE PROPOSED DEVELOPMENT TO NON-RESIDENTIAL USE PURSUANT TO 31 TAC §364.11 AND §364.31 (Model Subdivision Rules) AS RECOMMENDED BY THE WEBB COUNTY PLANNING ADVISORY BOARD ON AUGUST 29, 2002.**

Cmr. Gutierrez motioned to approve item as submitted and Cmr. Vasquez seconded the motion.  
All voted in favor.

e. **VETERANS DEPARTMENT**

**ACTION TO APPROVE 300 MINUTES PLAN CELL PHONE FOR THE VETERANS SERVICE OFFICER.**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor.

f. **WEBB COUNTY HEAD START**

**ACTION TO CHANGE THE TITLE FOR SLOT #1942 FROM AA/FAMILY SERVICE WORKER ASSISTANT TO AA/ FAMILY SERVICE WORKER AND INCREASE THE SALARY, FROM \$18,468 TO \$24,335 EFFECTIVE OCTOBER 21, 2002. (available in the payroll account)**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Urdiales seconded the motion.  
All voted in favor.

**g. PARKS AND GROUNDS DEPARTMENT**

- 1. ACTION TO FILL SLOT #2112 (TECHNICIAN) AT \$8.25 AN HOUR EFFECTIVE OCTOBER 15, 2002.**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Urdiales seconded the motion.  
All voted in favor.

- 2. ACTION TO FILL SLOT #2113 (SECRETARY/CLERK) AT \$8.25 AN HOUR EFFECTIVE OCTOBER 15, 2002.**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Urdiales seconded the motion.  
All voted in favor.

**h. ECONOMIC DEVELOPMENT**

- 1. ACTION TO AUTHORIZE THE PURCHASING AGENT TO ISSUE A “REQUEST FOR PROPOSAL (RFP) FOR ENGINEERING SERVICES FOR THE TEXAS OFFICE OF RURAL COMMUNITY AFFAIRS CONTRACT NUMBER 721175 FOR FINAL DESIGN PLANS AND SPECIFICATIONS AND INTERIM AND FINAL INSPECTIONS FOR THE INSTALLATION OF (TAP TO HOUSE) SEWER YARD LINES AND FOR WATER AND SEWER CONNECTIONS TO APPROXIMATELY NINETY ONE HOMES IN COLONIAS OLD MILWAUKEE AND TANQUECITOS AND ANY MATTERS INCIDENT THERETO.**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Urdiales seconded the motion.  
All voted in favor.

2. **ACTION TO PURCHASE FOUR COMPUTERS IN THE AMOUNT OF \$8,794.24 FOR THE SELF-HELP CENTER. (Self-Help Center Grant Funds-account #501-6500-8401)THESE COMPUTERS WILL BE AT NO COST TO THE GENERAL FUND.**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor.

i. **COUNTY JUDGE AND COMMISSIONERS**

1. **ACTION TO RETAIN LEGAL COUNSEL IN CAUSE NO. 2002 CVQ 00127302, TINO JUAREZ v. WEBB COUNTY, TEXAS ET AL IN THE 111<sup>TH</sup> JUDICIAL DISTRICT AND CAUSE NO. 2002 CVQ 00127702, RAUL HINOJOSA v. WEBB COUNTY, TEXAS, ET AL IN THE 111<sup>TH</sup> JUDICIAL DISTRICT. (Open Session)**

Cmr. Vasquez moved and Cmr. Gutierrez seconded the motion to acknowledge the retaining of legal council James P. Allison. All voted "Aye" in favor.

2. **ACTION TO RETAIN LEGAL COUNSEL IN CAUSE NO. MARCIE CALDWELL v. CAROLE KEETON RYLANDER, ET AL IN THE 261<sup>ST</sup> JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS, NO. 99-13088. (Open Session)**

Cmr. Urdiales moved and Cmr. Gutierrez seconded the motion to retain legal council James P. Allison.  
All voted "Aye" in favor.

3. **ACTION FOR CONSULTATION WITH LEGAL COUNSEL RE: CAUSE NO. 2002 CVQ 00127302, TINO JUAREZ v. WEBB COUNTY, TEXAS ET AL IN THE 111<sup>TH</sup> JUDICIAL DISTRICT AND CAUSE NO. 2002 CVQ 00127702, RAUL HINOJOSA v. WEBB COUNTY, TEXAS, ET AL IN THE 111<sup>TH</sup> JUDICIAL DISTRICT. (Executive Session)**

No action was taken at this time in Executive Session

4. **ACTION FOR CONSULTATION WITH LEGAL COUNSEL RE: CAUSE NO. MARCIE CALDWELL v. CAROLE KEETON RYLANDER, ET AL; IN THE 261<sup>ST</sup> JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS, NO. 99-13088. (Executive Session)**

No action was taken at this time in Executive Session.

5. **ACTION FOR CONSULTATION WITH LEGAL COUNSEL RE: CONTEMPLATED LITIGATION ON OVER PAYMENT OF JUDICIAL SALARIES. (Executive Session)**

No action was taken at this time in Executive Session.

6. **ACTION REGARDING THE PRESENTATION OF DIGITAL REPRODUCTIONS IN REGARDS TO GEOGRAPHIC INFORMATION SYSTEMS (GIS), DIGITAL MAPPING SYSTEMS, AND DATABASE MANAGEMENT SYSTEMS.[ Requested by Commissioner Judith Gutierrez]**

Mr. Stephen J. Garza of Digital Reproductions gave a detailed presentation on the Geographic information System (GIS).

Ms. Patricia Barrera addressed the Court, as a non-voting member of the Appraisal District Board, to recommend the Court not vote at this time on this project.

After considerable discussion, Judge Martinez announced that although very impressed with the presentation and in full support of the GIS the Court would take no action on this item at this time.

Judge Martinez asked the Court to temporarily suspend discussion on this item and go to item 07.02-10-281 (a).

Cmr. Gutierrez motioned to move up item 07.02-10-281 (a) and Cmr. Velasquez seconded the motion.  
All voted in favor. (Please see pgs. 13 & 14)

Commissioners Court resumed with previous discussion of Item 06.02-10-280 (i) 6 and requested Ms. Rhonda Tiffin, Planning Director, to comment on GIS.

Ms. Tiffin explained that her office currently has this Technology, but lacks the necessary data. Ms. Tiffin would like to be part of a committee to look into this project.

**07.02-10-281. COURT TO DISCUSS AND ACT ON THE FOLLOWING  
FROM THE 341<sup>ST</sup> DISTRICT COURT:**

- a. DISCUSSION AND POSSIBLE ACTION TO ALLOCATE  
OFFICE SPACE PREVIOUSLY OCCUPIED BY THE  
PURCHASING DEPARTMENT AT THE JUSTICE  
CENTER FOR USE BY THE PRE-TRIAL SERVICES  
DEPARTMENT, RECLASSIFY NAME OF  
DEPARTMENT FROM PRE-TRIAL DIVERSION  
DEPARTMENT TO PRE-TRIAL SERVICES,  
RECLASSIFY JOB TITLES AND DUTIES AND  
PURCHASE NECESSARY OFFICE EQUIPMENT PLUS  
INSTALL PHONE LINES, IF NECESSARY.**

Motion to approve the re-classification of the department name from Pre-Trial Diversion Department to Pre-Trial Services also the re-classification of the following slots:

Slot #	From	To
2090	Director	Pre-Trial Service Director
2091	Bailiff/Security	Investigator
2092	Court Filling Clerk	Pre-Trial Bond Officer
2093	Jail Facilitator	Jail Population Monitor
2094	Asst. Court Monitor	Pre-Trial Bond Officer
2095	Receptionist/Clerk	Office Assistant
2096	Bond Coordinator	Pre-Trial Intake

Cmr. Vasquez motioned to approve the re-classifications and Cmr. Velasquez seconded the motion with all voting in favor to approve.

Concerning the request for allocating the office space previously occupied by the purchasing department at the Justice Center, no action was taken.

Mr. Carlos Villarreal, Executive Administrator, advised the Court that a recommendation to hire an architect would be submitted at the next Commissioners Court.

**08.02-10-282. COURT TO DISCUSS AND ACT ON THE FOLLOWING FROM RISK MANAGEMENT DEPARTMENT**

- a. ACTION TO APPROVE THE RENEWAL OF THE PROPERTY/CASUALTY/LIABILITY INSURANCE PACKAGE FROM INCLUDING BUT NOT LIMITED TO PROPOSAL FROM McGRIFF, SEIBLES & WILLIAMS OF TEXAS, INC., THROUGH ST. PAUL INSURANCE & GULF INSURANCE TO BE EFFECTIVE OCTOBER 1,**

**2002, AND AUTHORIZATION FOR THE COUNTY  
JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS.**

Cmr. Gutierrez motioned to approve the renewal package as presented by Ms. Juanita Puente, Risk Manager. Cmr. Urdiales seconded the motion. All voted in favor. Motion carried 4 to 0. Cmr. Vasquez not being present at the time.

**b. ACTION TO AWARD CONTRACTS FOR RFP 2002-05  
FOR SECTION 125 PRODUCTS TO THE FOLLOWING  
INSURANCE COMPANIES:**

Ms. Puente requested the Court to award the contracts based on the Insurance Committee's recommendations as follows:

- 1. Heart Attack/Cancer Income - Plan I** – National Family Care Life Insurance Company
- 2. Cancer Insurance - Plan II** – Transamerica Assurance Company
- 3. Optional Life, Dependent Life and Optional AD&D** – Sun Life Assurance Company of Canada
- 4. Disability Income Insurance** – UNUM
- 5. Agent/Broker-** Laurel Insurance Agency & Associates PC

Cmr. Urdiales moved to accept Insurance Committee's recommendations and Cmr. Vasquez seconded the motion. All voted in favor. Motion carried 4 to 0. Cmr. Velasquez not being present at the time.

**c. ACTION TO FILL SLOT (Employee Benefits Coordinator)  
at \$12.75 an hour effective October 15, 2002. (New slot for  
FY 2002-2003)**

Cmr. Gutierrez motioned to approve action and Cmr. Urdiales seconded the motion. All voted in favor.

- d. **ACTION REGARDING BODILY INJURY CLAIMS OF AMBRIOSO AND HERMINIA CHAPA FOR A MOTOR VEHICLE ACCIDENT WHICH OCCURRED ON OR ABOUT APRIL 10, 2001 WITH A COUNTY VEHICLE DRIVEN BY A CRTC EMPLOYEE (EXECUTIVE SESSION IS REQUESTED PURSUANT TO TITLE 5, Subchapter D, SECTION 551.071 OF THE TEXAS GOVERNMENT CODE-CONSULTATION WITH ATTORNEY).**

(Item temporarily on hold for Executive Session)

After **Executive Session**, a recommendation to defer this item was made by County Attorney Homero Ramirez.

Upon recommendation of the Legal Council, Cmr. Gutierrez motioned to defer item at this time and Cmr. Vasquez seconded the motion. Motion carried 4 to 0.

Cmr. Velasquez not being present at this time.

**09.02-10-283. COURT TO DISCUSS AND ACT ON THE FOLLOWING FROM PURCHASING AGENT**

- a. **ACTION TO SOLICIT BIDS TO DRILL WELL OFF HWY. 83 NORTH, THE BOTINES AREA.**

Cmr. Urdiales motioned to approve item as submitted and Judge Martinez seconded the motion.

All voted in favor. Motion carried 4 to 0.

Cmr. Velasquez was not present at the time.

- b. **ACTION TO PURCHASE ELECTION BALLOTS, VOTING KITS AND RECEIPTS FROM HART INTERCIVIC IN THE AMOUNT OF \$18,312 FOR THE**



**ELECTIONS ADMINISTRATION DEPARTMENT. (Fund #001-0107-6705, balance \$160,000).**

Cmr. Gutierrez motioned to approve item as submitted and Cmr. Vasquez seconded the motion.  
All voted in favor. Motion carried 4 to 0.  
Cmr. Velasquez was not present at the time.

**c. ACTION TO OBTAIN SEVEN (7) CELLULAR PHONES AND SIX (6) PAGERS FOR THE TEXAS DEPARTMENT OF PUBLIC SAFETY.**

Mr. Eloy Ramirez, Purchasing Agent, informed the Court that the number of pagers should be nine (9) instead of six (6) as was posted on the agenda item.

Cmr. Gutierrez motioned to approve item as corrected and Cmr. Vasquez seconded the motion.  
All voted in favor. Motion carried 4 to 0.  
Cmr. Velasquez not present at the time.

**d. ACTION TO REPORT THE FOLLOWING PROCEEDS FROM THE AUCTION ON SEPTEMBER 21, 2002:**

<b>CABCO Auctioneering Service</b>	<b>\$1,166</b>
<b>Auction Buses</b>	
<b>Office Equipment</b>	<b><u>\$ 970</u></b>
<b>Total Proceeds</b>	<b><u>\$2,136</u></b>

Cmr. Vasquez motioned to accept report as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor. Motion carried 4 to 0.  
Cmr. Velasquez was not present at the time.

- e. **ACTION TO RETAIN THE SERVICES OF LAREDO STRIPING, INC., IN THE AMOUNT OF \$21,445 TO RE-STRIP ESPEJO-MOLINA ROAD. (approx. four miles) FROM ACCOUNT #010-7002-6404, BALANCE \$38,415, ROAD & BRIDGE DEPARTMENT.**

Cmr. Gutierrez motioned to approve item as submitted and Cmr. Urdiales seconded the motion.  
All voted in favor. Motion carried 4 to 0.  
Cmr. Velasquez not being present at the time.

- f. **ACTION TO PURCHASE THE FOLLOWING ITEMS IN ORDER TO COMPLY WITH SB 7 PRE-TRIAL SERVICES PROGRAM: (submitted by Purchasing Board) One (1) copier, 4-5 personal computers, desks, chairs, office equipment**

Cmr. Gutierrez motioned to defer this item and Cmr. Vasquez seconded the motion.  
All voted in favor.

- g. **ACTION TO SOLICIT BIDS FOR FURNITURE FOR THE TITLE IV CHILD SUPPORT COURT.**

Cmr. Gutierrez motioned to approve item as submitted and Cmr. Vasquez seconded the motion.  
All voted in favor.

**h. ACTION TO AWARD/REJECT THE FOLLOWING BIDS:**

<b>BID#2002-65</b>	<b>Annual Contract for Asphalt</b> – Lyndecker Materials
<b>Bid#2002-68</b>	<b>Two-Year Contract for Office Supplies</b> Primary Vendor – Executive Office Supply Secondary Vendor- Patria Office Supply
<b>Bid#2002-69</b>	<b>El Cenizo Elevated Water Storage Tank</b> - Caldwell Tanks, inc.
<b>Bid#2002-70</b>	<b>Peñitas West-New Community Building and Mirando Additions to Existing Community Building - deferred</b>
<b>Bid#2003-08</b>	<b>Annual Contract for Heavy Equipment</b> - Holt Machinery Inc.
<b>Bid#2003-15</b>	<b>Annual Contract for Sliced Bread</b> - Sara Lee Bakery Group
<b>Bid#2003-16</b>	<b>Annual Contract for Spices and Related Items (1-4) Only – Cain's Coffee</b>

Cmr. Gutierrez motioned to approve item as submitted with the exception of Bid#2002-70 which she motioned to defer. Cmr. Vasquez seconded the motion.  
All voted in favor. Motion carried 4 to 0.  
Cmr. Urdiales not being present at the time.

**a. ACTION TO PURCHASE FOUR (4) COMPUTERS FROM IBM IN THE AMOUNT OF \$8,794 FOR THE COMMUNITY ACTION AGENCY SELF-HELP CENTER. (Fund #501-6500-8401).**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor.

**b. ACTION TO FILL SLOT #114, DATA ENTRY/SECRETARY, AT \$8.92 AN HOUR.**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor.

**c. ACTION TO SOLICIT BIDS FOR A FOOD SERVICE PROVIDER TO PREPARE MEALS FOR THE JUVENILE JUSTICE DEPARTMENT.**

Cmr. Vasquez motioned to approve item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor.

**10.02-10-284. COURT TO DISCUSS AND ACT ON THE FOLLOWING FROM COUNTY ATTORNEY**

**a. ACTION TO ACCEPT, BY ORDER, RIGHT -OF-WAY DEDICATIONS FROM PROPERTY OWNERS IN RANCHOS PENITAS WEST SUBDIVISION, RANCHITOS LOS MINERALES IV SUBDIVISION AND ANTONIO SANTOS SUBDIVISION OUT OF THE FOLLOWING TRACTS:**

**RANCHOS PEÑITAS WEST SUBDIVISION  
TRACT GRANTEE**

**Tract 89, Unit VI**      **Raymond E. Wick and Sylvia Wick**

## RANCHITOS LOS MINERALES IV SUBDIVISION

**TRACT** **GRANTEE**

**Tract 5** **Jose Rogelio Palacios**

**Tract 12** **Conrad I. Qualley and Olivia Qualley**

**Tract 12**                      **Art Associates Electric Contractors, LLC**

**Tract 20 & 21**                      **Gerardo Morales & Maria  
Magdalena Morales**

**Tract 33**                      **J & E Leasing Properties, LTD**

**Tract 44** **Oziel Renteria**

**Tract 45** **Oziel Renteria**

# ANTONIO SANTOS SUBDIVISION

**TRACT** **GRANTEE**

**Tract 6** **Adelfo Garcia Rocha**

**Tract 7,16,17, 18, & 19 Eduardo Jaime**

**Tract 8** **Rosa Liendo**

**Tract 13** **Jesus Liendo, Jr. and Rosa Liendo**

Cmr. Gutierrez motioned to approve this item as submitted  
 and Cmr. Vasquez seconded the motion.

All voted in favor to approve. Motion carried 4 to 0.

Cmr. Urdiales not being present at the time.

- b. **ACTION TO ENTER INTO ONE -YEAR AGREEMENT (October 1, 2002 through September 30, 2003) UNDER CONTRACT NUMBER 11K1965 WITH THE TEXAS DEPARTMENT OF HUMAN RESOURCES TO PROVIDE HOME-DELIVERED MEAL SERVICES THROUGH THE WEBB COUNTY COMMUNITY ACTION AGENCY MEALS ON WHEELS PROGRAM. WEBB COUNTY IS BUDGETED TO RECEIVE FIVE HUNDRED SIXTY-TWO THOUSAND THREE-HUNDRED AND EIGHTY-TWO DOLLARS AND FIFTY-FOUR CENTS (\$562,382.54) AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS. [Request by Community Action Agency]**  
Cmr. Vasquez motioned to approve agreement and Cmr. Gutierrez seconded the motion.  
All voted in favor to approve.

Mr. Leo Flores, County Auditor, and Ms. Cynthia Mares C.A.A. Director, advised the Court that funds from the state and the city are still pending and would like to get the Court's blessing to continue with the Meals on Wheels Program.

The Court agreed to continue funding this program and asked to be kept abreast of the situation.

- c. **ACTION TO ENTER INTO A SERVICE CONTRACT WITH INTERNATIONAL BUSINESS MACHINES CORPORATION THROUGH ITS IBM BUSINESS PARTNER, TEXAS LOGIC, INC., IN THE AMOUNT OF EIGHT THOUSAND SEVEN HUNDRED EIGHTY ONE DOLLARS AND FORTY-ONE CENTS (\$8,781.41) FOR A FIVE YEAR PERIOD FOR (December 31, 2002 through December 31, 2007) MAGSTAR MAG TAPE SUBSYSTEM HARDWARE MAINTENANCE AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. (Fund #001-05006402). [Request of Tax Assessor Collector]**

Cmr. Gutierrez motioned to approve this item as submitted and Cmr. Vasquez seconded the motion.  
All voted in favor to approve. Motion carried 4 to 0.  
Cmr. Urdiales not being present at the time.

- d. **ACTION TO ENTER INTO CONTRACT AMENDMENT EXTENDING CONTRACT NUMBER 720889 (Construction of the Bruni Community Center and water improvements to Colonia Corralitos) TO NUMBER 4 WITH THE TEXAS OFFICE OF RURAL COMMUNITY AFFAIRS APRIL 18, 2003 AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS.**

Cmr. Vasquez motioned to approve this item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor to approve. Motion carried 4 to 0.  
Cmr. Urdiales not being present at the time.

- e. **ACTION TO RENEW A CUSTOMER AGREEMENT WITH INTERNATIONAL BUSINESS MACHINES FOR OPERATIONAL SUPPORT SERVICES - SUPPORT LINE BEGINNING OCTOBER 16, 2001 THROUGH OCTOBER 15, 2002, IN THE ANNUAL AMOUNT OF EIGHT THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS (\$8,175.00) AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Request of MIS, acct. #001-0500-6402]**

Cmr. Vasquez motioned to approve renewal and Cmr. Gutierrez seconded the motion. All voted in favor to approve.

Mr. Homero Ramirez advised the Court that the two dates needed to be corrected on this item. The item should read: October 16, 2002 through October 15, 2003.

- f. ACTION TO ENTER INTO GRANT CONTRACT NUMBER 721175 WITH THE TEXAS OFFICE OF RURAL COMMUNITY AFFAIRS IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) TO PROVIDE FIRST-TIME PUBLIC WATER AND SEWER SERVICE TO APPROXIMATELY 91 LOW TO MODERATE INCOME HOUSEHOLDS IN COLONIAS OLD MILWAUKEE AND TANQUECITOS BY INSTALLING SEWER AND WATER YARD LINES AND CONNECTIONS TO THE RESIDENCES AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Request of Economic Development Department]**

Cmr. Vasquez motioned to approve this item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor to approve.

- g. ACTION TO ENTER INTO A GRANT/MATCH CONTRACT WITH THE STATE OF TEXAS, OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION IN THE TOTAL AMOUNT OF TWENTY-TWO THOUSAND DOLLARS (\$22,000.00) FOR THE PURCHASE OF JUVENILE SERVICES (Emergency Shelter Care \$2,700.00, Psychological Testing \$8,750.00, Counseling \$10,350.00 and Clothing \$200.00) (Fund # 001-0112-7209-04), FOR THE JUVENILE DEPARTMENT AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Requested of the Juvenile Department-Requires a Cash Match of \$6,563.00]**

Cmr. Gutierrez motioned to approve this item as submitted and Cmr. Vasquez seconded the motion.  
All voted in favor to approve.



- h. ACTION TO ENTER INTO CONTRACT AMENDMENT NUMBER 1 WITH THE TEXAS OFFICE OF RURAL COMMUNITY AFFAIRS AMENDING CONTRACT NUMBER 721859 BY INCREASING THE BUDGET FOR WATER FACILITIES IMPROVEMENTS FOR THE 50,000 GAL. ELEVATED STORAGE TANK (from \$232,000.00 to \$317,000.00) AND DECREASING THE BUDGET FOR NEIGHBORHOOD FACILITIES/COMMUNITY CENTERS FOR THE RANCHO PEÑITAS WEST COMMUNITY CENTER AND EXPANSION OF THE MIRANDO COMMUNITY CENTER (from \$390,780.00 to \$305,780.00) AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Request of Economic Development department]**

Cmr. Vasquez motioned to approve this item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor to approve.

- i. ACTION TO ENTER INTO A TEN (10) MONTH (August 19, 2002 through May 19, 2003) AGREEMENT WITH UNITED DAY SCHOOL TO PROVIDE EL AGUILA BUS TRANSPORTATION SERVICES TO STUDENTS FROM UNITED DAY SCHOOL TO VARIOUS PHYSICAL EDUCATION ACTIVITIES THROUGHOUT LAREDO. THE COST FOR THE SERVICE IS ONE-THOUSAND DOLLARS (\$1,000.00) A MONTH AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Request of CAA]**

Cmr. Vasquez motioned to approve this item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor to approve.

- j. ACTION TO ENTER INTO A NINE (9) MONTH (September 1, 2002 through May 1, 2003) INTERLOCAL SUBSIDIZED EMPLOYMENT CONTRACT WITH LAREDO COMMUNITY COLLEGE CONCERNING THE COLLEGE'S FEDERAL WORK-STUDY PROGRAM WHEREIN WEBB COUNTY WILL PAY 25% OF THE WAGES EARNED BY STUDENTS EMPLOYED BY WEBB COUNTY. [Requested by Webb County Treasurer]**  
Cmr. Vasquez motioned to approve this item as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor to approve.
- k. ACTION TO PAY BEXAR COUNTY EIGHT THOUSAND EIGHT HUNDRED FORTY-SIX DOLLARS (\$8,846.00) FOR MENTAL HEALTH SERVICES PROCEEDINGS PURSUANT TO SECTION 571.018 OF THE TEXAS HEALTH AND SAFETY CODE AND ATTORNEY GENERAL OPINION JC-0287 AND ANY MATTERS INCIDENT THERETO.**  
Cmr. Vasquez motioned to approve payment as submitted and Cmr. Gutierrez seconded the motion.  
All voted in favor to approve.
- l. ACTION TO PAY BORDER REGION MENTAL HEALTH AND MENTAL RETARDATION COMMUNITY CENTER THIRTEEN THOUSAND TWO HUNDRED DOLLARS (\$13,200.00) FOR PHYSICIAN EXAMINATION FEES PURSUANT TO SECTION 571.018 OF THE TEXAS HEALTH AND SAFETY CODE AND ANY MATTERS INCIDENT THERETO.**  
Cmr. Gutierrez motioned to approve payment as submitted and Judge Martinez seconded the motion.  
All voted in favor to approve.

- m. ACTION TO ENTER INTO A LEASE AGREEMENT WITH ROBERT MULLER, LTD., FOR THE LEASE OF AN APPROXIMATE 1.2034 ACRE TRACT FOR USE AS WATER POINT (WATER DISPENSER) AT AN ANNUAL COST OF ONE DOLLAR (\$1.00) PER YEAR FOR A TWO YEAR PERIOD AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Request of Engineering Department]**

A motion was made by Cmr. Vasquez to approve entering into a lease agreement with Robert Muller, LTD. and the motion was seconded by Cmr. Gutierrez.  
All voted in favor to approve.

- n. ACTION TO ENTER INTO AN ENGINEERING CONTRACT FOR SURVEY SERVICES WITH ROSIN GROUP, INC., FOR THE ACQUISITION OF RIGHT-OF-WAY FOR UTILITIES IN COLONIAS RANCHITOS LOS CENTENARIOS, RANCHITOS LOS ARCOS, RANCHITOS LOS FRESNOS, RANCHITOS LOS NOPALITOS, RANCHITOS LOS MESQUITE, TOTALING 501 LOTS, AT A COST OF TWO HUNDRED SEVENTY-FIVE THOUSAND FIVE HUNDRED FIFTY DOLLARS \$275,550.00 AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Request of Engineering Department, funds available in Road and Bridge Account 623-0102-8801, Bond Series 2001 Account 681-8107-8002 and Bond Series 686-7101-6022]**

Motion was made by Cmr. Gutierrez to approve entering into a contract. Motion was seconded by Cmr. Vasquez.  
All voted in favor.

- o. ACTION TO ENTER INTO THIRD PARTY FUNDING**

## **AGREEMENTS AS FOLLOW:**

### **FUNDING PURSUANT TO HOTEL MOTEL TAX OCCUPANCY REVENUE**

A motion to approve the third party funding agreement was made by Cmr. Gutierrez and seconded by Cmr. Vasquez.

After a lengthy discussion Cmr. Urdiales motioned to disburse all moneys that exceed \$ 50,000 on a quarterly basis and those under \$ 50,000 in one lump sum. Approved funds to be disbursed as requested by organization. All voted in favor.  
(Full discussion is on audio tape)

<b>LULAC Council No.7</b>	<b>\$ 4,500</b>
<b>LULAC Council No. 12</b>	<b>\$ 6,000</b>
<b>Laredo Little Theater</b>	<b>\$ 5,000</b>
<b>Laredo Philharmonic Orchestra</b>	<b>\$10,000</b>
<b>Latin Hall of Fame</b>	<b>\$ 6,000</b>
<b>Laredo Children's Museum</b>	<b>\$30,000</b>
<b>Webb County Heritage Foundation</b>	<b>\$50,000</b>
<b>Laredo Center for the Arts</b>	<b>\$10,000</b>
<b>Laredo Int'l Fair and Exposition</b>	<b>\$ 4,000</b>
<b>Princess Pocahontas Council</b>	<b>\$ 5,000</b>
<b>Laredo Children's Museum</b>	<b>\$30,000</b>

#### **Funding pursuant to General Fund Revenue**

<b>South Texas Development Council/Border Area Nutrition Council</b>	<b>\$45,000</b>
<b>Webb Co Soil and Conservation Dist. #337</b>	<b>\$ 4,000</b>
<b>TAMIU Dance Program</b>	<b>\$ 1,500</b>
<b>Ruthe B. Cowl Rehabilitation Center</b>	<b>\$90,000</b>
<b>Crime Stoppers</b>	<b>\$ 2,000</b>
<b>Children's International Advocacy Center</b>	<b>\$50,000</b>
<b>Laredo Development Foundation</b>	<b>\$95,000</b>
<b>Laredo Webb County Food Bank, Inc.</b>	<b>\$ 5,000</b>

Boys and Girls Club of Laredo	\$25,000
Bethany House of Laredo, Inc.	\$12,500
American G.I. Forum	\$ 1,000
Savate Box	\$ 7,500

**AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS.**

1:10 p.m. Cmr. Gutierrez motioned to enter into **Executive Session** and Cmr. Vasquez seconded the motion with all voting in favor.

1:29 p.m. Court returns to regular session.  
(Please see item 08.02-10-282 (d) on pg. 16, and item 10.02-10-284 (p) on pg. 29.

**p. ACTION REGARDING CAUSE NO. 2002-CVQ-001149-D2; JORGE LUIS SANCHEZ V. WEBB COUNTY; IN THE 111<sup>TH</sup> JUDICIAL DISTRICT COURT OF WEBB COUNTY, TEXAS. (Executive Session is requested pursuant to Title 5, Subchapter d, Section 551.071 of the Texas Government Code, Consultation with Attorney).**

Mr. Homero Ramirez asked for the Court's authorization to engage in negotiations for possible settlement of this case. Mr. Ramirez would bring item back to Commissioners Court for final approval.

Cmr. Gutierrez moved to acknowledge legal council's recommendation and Cmr. Vasquez seconded the motion. All voted in favor. Motion carried 4 to 0.  
Cmr. Velasquez not being present at the time.

Cmr. Gutierrez made a motion to adjourn and subsequently withdrew the motion to adjourn in order to proceed with the drawing of the 6 nominees for the 2002 Salary Grievance Committee. The nominees will be approached to serve on this committee and are chosen at random from a list of the Grand Jurors who had previously served in 2001.

The names and addresses of the nominees are as follows:

1. Rene Lopez  
2205 Main  
Laredo, Texas 78040
2. Gloria M Gonzalez  
1117 Topaz Trl.  
Laredo, Texas 78045
3. Rogelio Hernandez  
810 Cupid Lane  
Laredo, Texas 78045
4. Lupita Howard  
2707 Corpus Christi  
Laredo, Texas 78043
5. Toribio Ortiz Jr.  
132 Horizon Loop  
Laredo, Texas 78046
6. Azuena Martin Del Campo  
1705 Orange Blossom Lp.  
Laredo, Texas 78045

**THE COMMISSIONERS COURT MAY MEET IN CLOSED SESSION PURSUANT TO TEXAS OPEN MEETINGS ACT §551.071 (consultation with attorney), 551.072 (deliberation regarding real property), §551.074 personnel matters) and §551.075 (consultation with employees), ON ALL MATTERS DEEMED NECESSARY BY THE COMMISSIONERS COURT.**

**PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AID OF SERVICE SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR NEED LARGE PRINT ARE REQUESTED TO CONTACT THE COURT ADMINISTRATOR AT (956) 523-4620.**

#### **ADJOURNMENT**

Motion to adjourn was made by Cmr. Gutierrez and seconded by Cmr. Vasquez with all voting in favor. Motion carried 4 to 0. Cmr. Velasquez not being present at the time.